THE

PROCEEDINGS

AT THE

Assizes of Peace, Oyer and Terminer,

FOR THE

County of SURREY,

HELD AT

Kingſton upon Thames,

ON

FRIDAY the 5th, SATURDAY the 6th, MONDAY the 8th, and TUESDAY the 9th Days of *August*.

In the 17th Year of His MAJESTY's Reign,

BEING THE

Second ASSIZES in the SHERIFFALTY

OF THE

Worſhipful ISAAC EELES, Esq;

High Sheriff of the County of *SURREY*.

For the YEAR 1743.

LONDON:

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THE PROCEEDINGS AT THE Assizes of the Peace, Oyer and Terminer, For the County of SURRET.

BEFORE the Right Hon. Sir William Lee, Knight, Lord Chief Juſtice of his Majeſty's Court of King's Bench; aſſigned to hold Pleas before the King himſelf, and to take all Aſſizes, Certificates, Jurats, &c. the Hon. James Reynolds, Eſq; one of the Barons of his Majeſty's Court of Exchequer, and others his Majeſty's Juſtices of Oyer and Terminer, and Goal Delivery for the County of Surry.

There were two JURIES ſworn, whoſe Names were as follow:

Miles Poole,	Ralph Godfrey,
Joſhua Barnſley,	Thomas Gilling,
Thomas Campion,	Dean Leonard,
Ambroſe Pariſh,	John Evans,
William Rice,	Thomas Clifford,
Robert Paddon,	Thomas Freeland,
James Beaton,	Jarvis Maſon,
James Vinell,	Will. Charlwood,
Henry Smith,	Robt. Parkhurſt,
Charles Wheeler,	George Griffin,
Robert Dalley,	John Underhill,
Thomas Taylor,	Biſhop Cooper.

James Day, Mary Daggars, and Anne Bayard, of the Pariſh of St. George the Martyr, in Southwark, were indicted, for that they not having the Fear of God before their Eyes, but being moved and prompted by the Inſtigation of the Devil, on one Simon Pottell, in the Peace of God and our Sovereign Lord the King, did make an Aſſault, in the Dwelling-houſe of the ſaid James Day, and him the ſaid Simon Pottell, with Force and Arms, from a Window in the ſaid Houſe, did feloniouſly, voluntarily, and of their Malice aforethought, caſt and throw with great Violence into the Street, whereby he the ſaid Simon Pottell received ſeveral mortal Bruiſes, of which he languiſhed from the 22d Day of May laſt, to the 23d Day of the ſame Month, and then dy'd.

They were a ſecond Time indicted on the Coroner's Inqueſt for feloniouſly killing the ſaid Simon Pottell.

After the King's Counſel had open'd the Indictment, wherein they ſet forth the Heinouſneſs of the Crime, and the ſtrong circumſtantial Proof they could bring to ſupport the Charge againſt the Priſoners, they call'd their Witneſſes. The Priſoners were aſſiſted with two Counſel to enable them the better to make their Defence.

William Hammond, Eſq; one of his Majeſty's Juſtices of the Peace for the County of Surry, ſworn. On Sunday in the Afternoon, the 22d of May, which was Whitſon Sunday, I was deſired by ſome of the Pariſh Officers to

to go to the Parish Work-house to visit a Man who they said had been thrown from a Window, and that they believed he had received so much Hurt, that he could not live. When I come thither and saw the Deceas'd, he appeared to be in a very languishing and weak Condition. Mr. William Underwood, a young Gentlemen, bled him; he complained of violent Pains all over his Chest and Bowels. I did not perceive any Bones to be broke, or any Fracture in his Skull. There was a contus'd Wound on the Right Leg, and another on the Thigh.

Council for the King. Pray Sir, are not you a Justice of the Peace for this County? And did not you hear the Deceas'd declare, that he had been thrown out of a Window at the Prisoner Day's House?

Mr. Hammond. He said he had been thrown out of a Window——He was very sensible, and knew what he said——He made Oath, That he was thrown out by a Man and two Women.

Council. Sir, pray was it taken in Writing——Look on that Paper, and inform my Lord and the Jury what you know of it?

Mr. Hammond. This is my Hand, and I saw the Deceased sign this Paper. It was read over to him before he sign'd it, and he declared, as a dying Man, that all contained in it was Matter of Fact.

Then the Clerk of the Arraigns had the Paper delivered to him, and after the Cryer had commanded a profound Silence, the Jury were desired to be very attentive, after which it was read, and is in the following Words;

SURREY, to wit. SImon Pattell, of New Buckenham in the County of Norfolk, Baker, maketh Oath and saith, That last Night about Eight of the Clock, as this Deponent was going along the Borough of Southwark, in order to go to Lambeth, was called on by a Woman who is unknown to this Deponent, and was then at a publick House in an Alley near St. George's Church, who asked this Deponent to give her a Pint of Beer, whereupon this Deponent went into the House to her, and called for some Liquor, which this Deponent believes to be Wine; and further this Deponent saith, that he did agree to go up Stairs into a private Room with the said Woman, and there continued some considerable Time, and spent and gave the said Woman about four Shillings and Sixpence, after which the said Woman persuaded this Deponent to pawn his Coat, which, for want of more Money he did agree to pawn, and offer'd his Coat to pawn with the Maker of the said House, which he refused to accept of: That then the said Woman and this Deponent went to a Pawnbroker's Shop over-against the Church, and there pawn'd it for Six Shillings, after which they return'd to the said House again, which was about Nine o' Clock, and there called for more Liquor, after which this Deponent did agree to lie all Night in the said House, and paid the Maid-Servant a Shilling for the Bed, and also gave the said Woman two Shillings to lie along with him; and that about Eleven o' Clock they went to Bed together, also this Deponent saith that being apprehensive of being in a bad House, he lock'd the Door, and took the Key and put it in his Pocket; and further this Deponent saith, that having been asleep some time with the said Woman, she awaked him, and asked him for more Money,

when the Deponent replied, he had no more Money: Then then the said Woman demanded the Key of this Deponent, or else she said she would rob him, whereupon he gave her the Key: That immediately after the said Woman got up, and open'd the Door, and let in a Man and another Woman, who also asked him for Money, but this Deponent replied he had got no more, for that they had got all his Money: Then the Man and the Woman answered, that they would take his Cloaths away and use him ill, that then this Deponent got up and begg'd of them to save his Life, and give him his Cloaths, and also went and open'd the Window in order to call for Help, but was immediately seized by the said Man and the said two Women and thrown out of the Window down into the Alley, where he lay naked excepting his Shirt and Handkerchief about his Neck, in a miserable Condition, till the Watch came and took him up.

SIMON POTTELL.

Sworn the 23d May, 1743, before me

W. HAMMOND.

Counsel for the Prisoners. Upon your Oath, Sir, can you take upon you to say the Deceased was in his Senses when he sign'd that Paper.

Mr. Hammond. He was very sensible, and quite coherent in every Thing. I never found any Contradiction. I was with him about an Hour. He did not name either of the Prisoners Names, but said that two Women and a Man had thrown him out of the Window; and Day said, that there was no other Man in the House but himself.

Susannah Hawkins. Last Whitson Eve at Night I was at a Neighbour's House at Supper, one Mr. Brown who keeps a Chair Shop in the Mews Alley by St. George's Church, opposite to where the Prisoner lived. About 12 o'Clock I heard all one sudden something fall with a great Squat, and presently after a dismal Groaning, Oh! Oh! several times. Mr. Brown opened the Door, and I went out to see what was the Matter. I thought some poor Soul had fell down and hurt himself, and could not get up; and on looking on the Ground, I saw a Man sitting on his Breech, with both his Hands on his Head, having nothing on but his Shirt, and a Silk Handkerchief about his Neak. This was directly under the Window of Mr. Day's House. I spoke to the Man, and said Master what have they done to you, but he spoke not one Word, only groan'd dismally. I thought some of his Limbs had been broke, and immediately ran to the Watch-house, and acquainted the Constable and Watch, who came and took him up. Before I called the Watch I look'd up at the Window, where the Deceased came out of, and it was open, and I saw two Women standing at the Window, with a little glimmering Light. I then thought that the Whores had thrown the Man out of the Window.

Council. Pray, from the Time you went to call the Watch, to the Time of your Return, could any body have gone out of Day's House.

Evidence. I think not, the Doors were all fast, for I put my Hand against the Door to try if it was open. The Window that was open was but one Story high, and the House is but low. When the Constable came, with his Beadle and the Watchmen, they seiz'd the Prisoner Haggard, and she confess'd that the Deceased was in Bed with her, but that she did not miss him out of Bed till she went to turn herself towards

towards him. The Woman was carried to Bridewell, but Day and the other Prisoner Daggers was not taken up 'till the next Evening. Day said there was no other Man in the House but himself.

Martha Innis. I was at Supper with my Spouse, and Mrs. Hawkins (the last Evidence) last Whitson Eve at Mr. Brown's in the New Alley. We heard a dismal Groaning, and going out I saw the Man on the Ground crowded all of a Heap, with his Shirt all over bloody. He could not speak, only groan'd terribly. We fetch'd the Watch, who took him up, and carried him to the Watch-house. There was Mr. Martin the Constable, Mr. Spicer, Beadle, and Watchmen. I can't say who threw him out of the Window, for I saw nothing of that. The Window was open, but the Doors were all shut.

Mary Archer. About Twelve o Clock at Night last Whitson Eve, I heard a Noise in Mr. Day's House, and a deal of cursing and swearing. The Noise at length ceas'd, and soon after I heard a Man in a low Voice say, Lord have Mercy upon me! What shall I do!——Soon after this I saw the Deceased come out of the Window, and he fell upon the Pavement. I cannot say that I saw either of the Prisoners throw him out.

Jane Liptrap. The Day before Whitson Sunday, I saw Nanny Hazzard carry the Deceased into Day's House. I know her very well, and am sure that she is the same Woman who went in with him. Between Twelve and One in the Morning, I happen'd to be coming home, for I live opposite to the Prisoner's House, and saw the Deceased lying flat on his Face. The Watch was called, and Mr. Martin the Constable went into the House. I did not hear the Deceased say any Thing, but Hazzard own'd that he had been in Bed with her.

John Martin. I was on my Duty as a Constable the Night this Affair happened, and was called from the Watch-house to go into the New Alley, by two Women, who said a Man lay there dying. I went and found the Deceased lying under one of the Windows in Day's House, all over bloody: His Shirt was very bloody, and he had no Cloaths on; he was in his Shirt, and a Silk Handkerchief about his Neck. I asked him how he came there, and he said, Lord Jesus Christ, I shall loose my Life; they have pluntge me out of the Window. The Beadle and Watchman took him up, and carried him to the Watch-house. When I saw he was taken care of, I went to Day's House, and knock'd at the Door, and I was answer'd by Day out of the Window. I ask'd him to come down, and told him that a Man had been thrown out of his Window.——I knock'd some Time before I had any Answer, and then the Prisoner Day ask'd what was the Matter, and he came down. Hazzard said the Man was in Bed with her, and said his Cloaths was there now; so I went up Stairs to look for his Cloathe where he lay, and found them scatter'd about the Room. There was a White Duffil Coat, a Strip'd Waistcoat, and a Pair of Leather Breeches, and only one Farthing in Money in the Pockets. I ask'd Mr. Day if there was any other Man in the House but himself? He said that no Man else was in the House, only he and the two Women. Nanny Hazzard was taken into Custody and carried to the House of Correction; but the other two Prisoners (Day and Daggars)

were not taken up 'till next Evening. I was at St. George's Workhouse when 'Squire Hammond was with the Deceased taking his Examination. He spoke very sensible, and said that it was a lusty bodied Man that threw him out of the Window, and gave a very particular Account of every thing that had happen'd. He was weak, and in a very bad Condition by the Bruises he had received, but yet he could speak very well, and knew what he said. He gave an Account of pawning his Coat for Six Shillings, and said he remember'd having two Quarterns of Brandy. I kept him at the Watch-house no longer than a Chair could be got, and two Watchmen carried him to the Work-house. The Prisoners, Day and Daggers, were both at Liberty all the next Day, but in the Evening 'Squire Hammond granted a Warrant to take them up, and about seven o' Clock I went to Day's House, and found him and Daggers; he was smoking his Pipe, and walking about the Room in his Night-cap, and did not seem to be any way concern'd.

William Spicer. The Beadle confirm'd Mr. Martin's Deposition in every particular, and declared the Deceased was in his perfect Senses when Mr. Hammond was examining him, and said that Mr. Hammond was with him above an Hour, and gave the Deceased Time to consider of what he said, that he constantly repeated what he had first said as to a lusty Man and two Women pumping him out of the Window.

Thomas Bignall. I am a Parish Officer belonging to St. George's; the Deceased's Brother applied to me, and desired I would see Justice done him, for that his Brother was murder'd. I went to the Deceased, and he told me, it was done in an Ally by St. George's Church, at the Sign of the King's Head, and said that a lusty Man and two Women had taken him in their Arms and plumpt him out of the Window. He was entirely sensible, and knew very well what he said; and told me there was two Women in the Room besides the lusty Man, and that the Prisoner Hazzard, who lay with him, threatned his Life, unless he delivered the Key to unlock the Door, which he did immediately, for fear she should use him ill. My Partner and I went to Mr. Hammond and told him what had happen'd, and he issu'd his Warrant for seizing Day and Daggers, and they were accordingly apprehended, and carried before his Worship, and whilst Day was under Examination, I heard him own that there was no body in the House but himself and the two Women. There is one material Circumstance, for Daggers said the Door where Hazzard and the Deceased lay was lock'd by her, and the Key put on the Mantle Piece; but Hazzard when in Bridewell denied that, and said the Deceased had the Key.

Owen Welch, Constable, depos'd, that he was present when the Deceased was examined before the Justice, and believes he was in his perfect Senses as much as he ever saw any Man; and said that the Justice gave him Time to speak what he desired; that the Deceased said he was a dying Man; and that Mr. Hammond was of Opinion he could not live 48 Hours.

Mr. Swanson depos'd, that the Deceased's Brother called him up about 7 or 8 o' Clock on Whitson Sunday Morning, to go with him to see how the Deceased came by his Death; that he heard the Deceased say he was pumpt

plumpent of the Window by a lusty Man and two Women in the New Alley by St. George's Church.

Young Ashworth depos'd, that he drew up the Deceased's Affidavit; that it was read over to him before he sign'd it, and that he was in his perfect Senses when Mr. Hammond examined him.

Charlotte Langley depos'd, that she saw the Deceased come into Mr. Day's House on Whitson Eve with Anne Hazzard; that they both went into the Parlour, and had one Pint of Two-penny; and then went up Stairs, and had a Pint of Wine; but said she knew nothing of what farther had pass'd, for that she went away with her Husband about 11 o' Clock at Night.

Mr. Martin the Constable was again call'd, and ask'd, if at any Time the Deceased said he should know Day? his Reply was, that he never heard him name Day, only that it was a lusty-bodied Man that plumpt him out of the Window.

It appeared also from the Testimonies of the other Witnesses, that neither of them ever heard the Deceased say that he should know Day, not even if he was to be brought before him.

The Prisoners said nothing in their Defence, nor call'd one single Witness, either to their Characters, or to invalidate what the King's Evidence had sworn, on which my Lord charged the Jury, and when the Charge was given they went out of Court, and return'd in about 20 Minutes, and found all the Prisoners guilty of the Indictment, Death.

When the Jury had deliverad their Verdict, Mr. Day said to my Lord, that it was a great Hardship he should be convicted of a Crime of which he had not the least Knowledge; on which the Jury were told to consider of their Verdict, and return'd in a few Minutes, and found them again guilty of the Indictment.

Richard Keble was indicted, for that he being lawfully convicted of Felony, and order'd at the Goal Delivery for Surrey on the 26th of March 1737, to be transported to his Majesty's Plantations in America; and that he being so transported, was seen at large in his Majesty's British Dominions, to wit, on the 20th of September last, without having any lawful Authority for being so found at large, contrary to the several Statutes in such Cases made and provided.

Then the Record of the Prisoner's Conviction was read to the following Purport: "Be it remember'd, that at "the Assizes of Oyer and Terminer, "and General Goal Delivery for the "County of Surrey, Richard Keble, "indicted for stealing a great Quanti-"ty of Linnen in the Parish of St. "Mary Magdalen Bermondsey, was "found guilty by the Country of "Grand Larceny, for which the Court "adjudg'd him to be transported for "the Term of seven Years.

Mr. Maynard, Constable, depos'd, That he knew the Prisoner perfectly well, and that he took him upon the Robbery for which he was transported; that it was for stealing Linnen from a Woman in Barnaby-street about six Years and a half ago, as near as he could remember; that he heard Sentence of Transportation passed upon him, and believes that he was transported pursuant to that Sentence.

Benjamin Blake, depos'd, That he was well acquainted with the Prisoner, and was sure that he was transported from the New Goal about six Years ago for robbing a Woman of Linnen;

George

George Holderneſs. I am very certain that the Priſoner at the Bar is the Perſon who was tranſported out of this County for a Robbery in Barnaby-ſtreet. It was for ſtealing Linnen, and I aſſiſted in taking him. I have ſeen him at large ſince he was tranſported. He is an old Thief, and was an Evidence againſt Thomas Richardſon and Matthew Sellers, who went by the Name of Cocky-my-Chance, and has been a robbing ſince he came to England. He us'd to appear publickly, and nobody took any Notice of him, or durſt take any, 'till he was taken up for robbing a Pawnbroker's Shop, for which he was try'd laſt Aſſizes and acquitted. I am quite ſatisfy'd that he is the very ſame Man that was tranſported.

Priſoner. I own I was tranſported, and I hope your Lordſhip will tranſport me again for my Life. I ask no other Favour, for it was not my Deſire to come to England. I was preſs'd on board the Lyon Man of War at South-Carolina, and obliged to come to England againſt my Conſent. Pray conſider, my Lord, ſend me where you pleaſe, and I will never again ſet my Foot in England. Guilty Death.

William Aſhman, of St. Olave's, Southwark, was indicted for privately ſtealing ſundry Pieces of Scotch Linnen, in the Warehouſe of Alexander Hays, on the 8th of July laſt.

It appeared by the Evidence, that the Priſoner took the Cloth, which was ſeveral Pieces pack'd up in a Truſs, and that he pawn'd the ſame at one Mrs. Allen's at the Star Corner. He confeſs'd the Stealing it, and ſaid nothing in his Defence. Guilty Death.

Edward Rowley of St. Saviour's Southwark, was indicted for privately ſtealing a Silver Watch, value 4 l. from the Perſon of Nathaniel Hay, April 28.

The Proſecutor depos'd, That being in the Crowd juſt by St. Margaret's Hill at the Election of Members to ſerve in Parliament for the Borough of Southwark, he ſaw the Priſoner ſtanding by him, and in a few Minutes he found his Watch ſlip from him, which the Priſoner pick'd out of his Pocket; that he ſaw him hand the Watch to another Lad that he ſuppoſes to be an Accomplice of the Priſoner's, who made off with it; but that he ſeiz'd the Priſoner, and carried him to the Black-Horſe Alehouſe juſt by where he was robb'd, and afterwards before Juſtice Lacy, who committed him. The Proſecutor's Teſtimony was confirm'd by other Evidence, and the Priſoner having nothing to ſay in his Defence, the Jury found him guilty of the Indictment, Death.

William Argent was indicted for a Miſdemeanor in entering the Barn of John Clements, with an Intent to ſteal Corn therein. It appeared, that the Barn had been ſeveral times robb'd, and that the Priſoner had confeſs'd, he intended to take what he could get. The Jury found him guilty.

Elizabeth Rice was indicted for ſtealing ſundry Serge Curtains, a Fire Shovel, Tongs, Fender, and Poker, the Property of Francis Noguier. It appeared by the Evidence, that the Things were taken out of a Summer Houſe of Mr. Noguier's at Crumps-Hill, Greenwich, and that they were found upon her. Guilty.

John Palmer was indicted for ſtealing a brown Gelding, the Property of William Houſe of the Parish of Epſom; but the Evidence not being ſufficient to ſupport the Indictment, the Priſoner was acquitted.

Eli

Elizabeth Dreden, of Camberwell, was indicted for feloniously stealing one stript Satin Gown, one Scarlet Cloak, and several other Things, in the House of Christopher Flynn. It appeared by the Prisoner's Confession, that she took the Goods mention'd in the Indictment, which she confess'd before Squire Copeland. The Jury found her guilty of Petty-Larceny. Alithea Ward was committed with her for the same Offence, but as there was no Evidence to affect her but what Grainger said, the Grand Jury did not find the Bill.

Robert Grier was indicted for stealing three Axes, three Saws, an Augar and a Drawing-Knife, in the Shop of John Word. Guilty.

Sarah Sinclair was indicted for stealing divers Pieces of Linnen, the Property of Thomas Weston of Wandsworth. It was proved that some of the Linnen that had been stolen was found in her Custody at her Lodgings at Lambeth, and she not giving any satisfactory Account to the Jury how she came by it, they found her guilty of the Indictment.

John Segar was indicted for stealing four Bushels of Beans and one Sack, the Property of Dorly Stevens, on the 20th of July last. And,

William Summers was indicted for receiving the said Sack and Beans, knowing them to be stolen. It appeared by the Evidence of Mr. Roberts, that the Beans were stolen out of a Lighter on the River Thames by Segar, and that Segar sold them to Summers. Neither of the Prisoners said any thing in their Defence, so the Jury found them guilty of Felony.

Thomas Whiting was indicted for assaulting Jane the Wife of William Hale, putting her in Fear of her Life, and taking from her two Gold Rings, value 30s. To which Indictment the Prisoner pleaded Guilty.

Thomas Whiting was a second time indicted with John Beauchamp, otherwise Beacham, and Thomas Millet, for that they, together with Samuel George, Nathaniel Miller, and William Clements (not yet taken) the Dwelling-house of Sir John Elwell, Bart. at Egham, did feloniously and burglariously break and enter, and two Feather Beds, value 5l. twelve Blankets, value 40s. the Furniture of two Beds, and a Clock, value 40s. did steal and carry away March 12. To this Indictment Whiting pleaded guilty likewise, and inform'd the Court, that he was admitted an Evidence, and that he thought it a great Hardship they should indict him; but he hop'd his Lordship would be favourable to him. The other two for their Trials put themselves upon God and their Country.

Thomas Baggerly. I am Gardiner to Sir John Elwell, and am sure that on the 11th of March last, Sir John's House was all fast by seven o'Clock at Night. When I arose in the Morning, I found the House broke open, the Thieves came in at the back Part of the House. The Parlour Window was broke open, and the Beds were carried away out of the Rooms, and a Clock was also stolen. Four of the Blankets that were taken were flung into a Field in the Road coming to London. There fell a very heavy Snow that Night, but before the Snow fell the Thieves had robb'd the House, for I could not track 'em. I believe the House was broke open about 11 or 12 o'Clock at Night, and the Snow fell about three in the Morning. We did not hear who had committed the

Robbery 'till about a Month afterwards, when Richard Towers was taken up and made himself an Evidence before Mr. Justice Moore. He impeached all the Persons mentioned in the Indictment.

Richard Towers. On the 11th of March last the Prisoners at the Bar, Thomas Whiting, Samuel George, Nathaniel Millett, and William Clements, met about nine o' Clock at Night on Englesfield Green, and agreed to break open Sir John Ellwell's House. They brought a Bottle of Gin with them and bid me drink heartily, but I did not drink so much as not to know what I did. I was to stand a little way off to see that no body surpriz'd them. Millett and Beachum broke in at the back Part, and Millet's Brother Nat, and George they handed the Goods out. There was two Beds and the Furniture, a Clock, and some other Things, and when we had pack'd up all the Goods, we broke open Mr Chapman's Stable and stole three Horses, and loaded them with the Goods, except four Blankets, which we threw over into a Man's Field at the Bottom of the Hill. We then drove the Horses to London, and at Hyde Park Corner Beachum gave me some Money, and I came home. I do not know how they disposed of the Goods, but they are the Persons who broke open the House, and that I will stand to.

Thomas Whiting. I am Brother to the unhappy young Man that has pleaded Guilty, and I bought the Clock of him. I know nothing of the Fact.

Prisoner Beacham. I shall prove that I was at another Place on the 11th of March. They only swear against me for the sake of the Reward. Towers has been promised an Estate of 50 l. a Year, and Sir John's Gardener promised him 10 Guineas if he would swear against us.

Then Mr. Baggerly was called and ask'd by the Court if he hir'd Towers to swear against the Prisoners. He reply'd, upon his Oath that he never did, and only said that for his own Satisfaction, he would give five Guineas to know who did the Robbery.

Mr. Chapman. On the 11th of March in the Night Time my Stable was broke open, and three Horses were stolen thereout. I went directly to London when I found I was robb'd, and at every Turnpike I heard of my Horses having gone through, and the Prisoners with them. I knew the Horses were mine by the Description given of them by the Turnpike Men, and the Prisoners were described to me, but I did not know who they were at that Time. Towers confess'd when he was taken up, that the Prisoners and himself had robb'd Sir John Ellwell's House, and told me they had broke open my Stable and taken the Horses out to carry the Goods to London. When he was examined by Justice Moore, he confess'd several Robberies that he and the Prisoners had committed together, besides the Robbery for which the Prisoners are now indicted.

Thomas Pierce. I wrote a Letter at the Request of Richard Towers to Sir John Ellwell, to desire that he would send him something to subsist on. Towers said if he hang'd Beacham, he should have Money enough, ——— an Estate of 50 l. a Year. ——— I never saw either of the Prisoners in my Life before. ——— I am confined in the County Gaol for a Fraud, which there is no great Harm in.

Giles Greasly. I heard Towers say in the New Gaol, that he was to have a great deal of Money, if he hang'd the Prisoner

Prisoner Beacham.—I am a Prisoner in the New Goal, but it is only for having two Wives.

The Prisoner Beacham in his Defence also call'd Henry Bolton and Joan Bolton who both depos'd, that they kept the Chequer Alehouse at Beckonsfield, and that Beacham lay there on the 11th of March last; that he went to Bed about Ten and rose early in the Morning. They were both sure, that he could not get out, for that Mrs. Bolton lock'd the Door of the Room where he lay, as is always their Custom with Lodgers they have no Knowledge of.—They said, they never saw the Man in their Lives before, nor knew any thing of the Matter 'till they were subpœn'd to give Evidence. They were ask'd by the Court, why they could be so particular to the 11th of March; but could give no other Reason, than that a Girl had been sent to Bridewell the Day that Beacham was there, and they went and ask'd the Keeper, and he told them it was the 11th of March. These two Witnesses were examined separately, and contradicted one another in several Parts of their Evidence.

John Winsfield. I live at Gerrard's Cross, and saw the Prisoner on the Road to Beckonsfield. He had an old Horse, which he sold for Dog's Meat.—I know nothing of him any further.

Mr. Humphrey's deposid that he met Beacham on the Road; and was very positive it was on the 11th of March, because he came from Oxford that Day.

These Witnesses were severally asked, if they knew any Thing to the Fact; and they all said they never saw him in their Lives before.

Midlet, in his Defence, said he knew nothing at all of the Robbery, and call'd his Sister Sarah Millett, who depos'd, That he lay at her House at Englefield Green on the 11th of March last; but could give no Account why she was so positive to the Day, nor could tell what Day of the Week it was. The Jury found both the Prisoners guilty of the Indictment. Death.

John Sims was indicted for feloniously stealing four Stone of Pickled Pork, the Property of William Bell, on the 17th of July last. It appeared by the Evidence of the Prosecutor, that the Battery was broke open in the Day-time, and the Pork taken away out of a Powdering-Tub; but he could not be positive that the Prisoner took it; whereupon the Jury acquitted him.

Henry Hopkins was indicted for a Misdemeanor, for that he on the 19th of July one Silver Watch value 4 l. the Property of Jacob Harley, did take from the said Jacob Harley, in a clandestine and deceitful Manner, by playing with false and loaded Dice. The Prosecutor proved that he play'd at the Prisoner's Barrow for Money, and having lost all he had, he play'd his Watch against Money, which the Prisoner also won, but he afterwards found that the Dice were loaded, and had the Prisoner seized and carried before Justice Copeland, where he did not deny the Charge. The Prisoner said very little in his Defence, only that he had an Intent to defraud the Prosecutor, and knew that the Dice were loaded, and after they had done playing. The Jury found him guilty of the Indictment.

Thomas Roy was indicted for stealing a Hat, the Property of William Foy, on the 25th of July last.

Capt. Roy deposed, That he had been down Buckinghamshire to make Money of his Friends, and having had some

it

it was stolen, and found upon the Prisoner.

The Prisoner in her Defence said, That going along the Street, she found the Hat; and there not being any positive Proof that she stole it, the Jury acquitted her.

James Harris, otherwise John Harwood, late of Kinghton upon Thames, was indicted for stealing a black Gelding, value 10 l. 10 s. the Property of Abraham Goldsmith.

Mr. Goldsmith. I live at New-Windsor in Berkshire, and lost the Horse from that Place. He was found in the Custody of the Prisoner at this Town, where he offered to sell him. My Horse was lost on the 6th of May, and on the 7th of the same Month the Prisoner was taken up in this Town, and carried before the Bailiffs, who examined him, and he said that he bought the Horse, but he could not prove that, and so he was sent to Gaol. He told him so this Man who sends by me, who delivered him to me as soon as I claimed him to be mine.

James Bengrave. The 7th of May last, the Prisoner was here selling a Horse, as offering him to Sale. He asked four Guineas for him, at last he came to three and a half, and said he would take no less. I suspected the Horse was stolen, and seized him, and he could not deny but he came by the Horse in an unlawful Manner. I sent to Mr. Goldsmith at Windsor, and he came and claimed the Horse; and the Prisoner having another Horse in his Custody, it proved to belong to one Mr. Williams, a Butcher, and was also stolen. The Prisoner did not deny before the Bailiffs that he took the Horses. The House where I saw the Prisoner first was at the Woolpack's Arms about a Quarter of a Mile from this Town. He dealt in Horses, and thought if the Horse was honestly come by, he was cheap, and would serve me well for my Business.

Jeremiah Beckat confirm'd what the former Witnesses had sworn, and said he saw both the Horses in the Prisoner's Custody, and that he claimed them as his Property and exposed them to Sale.

Court. What say you to this, Prisoner? You hear what these Witnesses have sworn against you.

Prisoner. I have nothing to say for myself at this Time. I am sorry for what I have done. I shall entirely throw myself on your Lordship's Mercy. I have been abroad these twenty-three Years serving my King and Country. The Jury found him guilty, Death.

He was a second Time indicted for feloniously stealing a bay Gelding, value 5 l. the Property of Robert Wesend, May 6.

He was a third Time indicted for stealing a black Horse, the Property of John Eggleston, April 9. And a fourth Time indicted for stealing a brown Horse, value 7 l. the Property of Jonathan Thomas. But being found guilty of the two first Indictments, the Court thought it unnecessary to try him on the others.

Thomas Evans was indicted for breaking and entering the Dwelling-House of John Godby, in the Parish of St. Saviour's Southwark, and stealing therein one Buck Rabbit, value 5 s. one Doe Rabbit, value 6 s. and one Guinea Pig, value 6 d. the Property of the said John Godby, April 17.

Mr. Godby. My Shed, which is a Part of my Dwelling-House, was broke open, and these Rabbits and the Guinea Pig taken away——I know the Prisoner and some others sold them, because

because he confess'd it before Justice Copsland, and I found my Rabbits at Mr. Andrews's, where the Prisoner lodg'd.

Court. Did you hear him confess it before the Justice?

Godby. I heard him confess it, and his Confession was taken in Writing.

Then the Confession was produc'd; but it being taken on Oath, it could not be read. If it had been taken voluntarily, it would have been admitted as good Evidence; but the Law supposes that an Oath is a Compulsion; and consequently that no Man is obliged to swear against himself in Cases where it affects his Life.

Godby. Here is the Prisoner's Landlord says that he seldom or ever lies at home at his Lodgings.

Mr. Andrews, the Landlord. Upon my Oath, my Lord, I never said any such Thing.

Mary Andrews. He lodg'd at our House, and was always very regular. I believe Mr. Godby is no better than he should be, for in my Hearing he said if the Prisoner's Friends would give him a Note for one Guinea, to be paid at two Shillings a Week, he would not trouble himself about it; but if they refus'd it, he was sure the Prisoner would be hang'd, and he should then get 40 l.

Godby. I declare I never said so in my Life, nor any Thing like it. The Jury acquitted the Prisoner.

He was a second Time indicted for stealing four Hens, value 4 s. one Turkey, value 1 s. and four Pidgeons, value 1 s. the Property of William Whitaker; but Mr. Whitaker not being able to prove the Fact upon the Prisoner, he was also acquitted of this Indictment.

He was a third Time indicted for feloniously stealing one Hen and other Fowls, the Property of Thomas Hyde.

Mr. Hide depos'd, That the Prisoner confess'd robbing him before the Justice, and said he took the Fowls, and I should find them at the Waterman's Arms at Newington; but I did not find them there——I heard him confess he stole them. Guilty to the value of 10 d.

Simon Borer was indicted for feloniously stealing several Pieces of Linnen, call'd Hessens Linnen, in the Grounds of Thomas Kirkham of Mitcham, the Property of the said Thomas Kirkham.

It was proved by Mr. Kirkham, that the Linnen, with his Mark upon it, was found in the Prisoner's Possession; and Mary Barrett prov'd, that the Prisoner brought some Linnen to her, which was Hessens, and the same the Prosecutor lost, and desired her to make some Sheeting and Shirts. The Prisoner had nothing to say in his Defence, so the Jury found him guilty of the Indictment.

Upon Emery was indicted for stealing a Hand-Saw, the Property of Samuel Larkum.

Mr Larkum prov'd, that the Prisoner took the Hand-Saw out of his Yard, and he having nothing to say in his Defence, the Jury found him Guilty.

He was a second Time indicted for stealing one Pewter Soup-Plate in the Dwelling-House of Robert Horne; which being plainly prov'd upon him, the Jury found him guilty of this Indictment likewise.

Samuel Belcher, of Kingston upon Thames, was indicted, for that he not

having the Fear of God before his Eyes, but being moved and seduc'd by the Instigation of the Devil, the 26th Day of July last, by Force and Arms, at the Parish of St. Bartholomew at Kingston, in and upon one Thomas Wrench, in the Peace of God and our Sovereign Lord the King, feloniously, voluntarily, and of his Malice aforethought, did make an Assault, and that he the said Samuel Belcher, on the Right Side of the Head, several mortal Blows did strike and give, of which said Mortal Blows the said Thomas Wrench from the 20th Day of July, until the 27th Day of the same Month he languished, and languishing liv'd, on which said Day the said Thomas Wrench, at the Parish aforesaid, of the Blows aforesaid, dy'd; so that the said Samuel Belcher the said Thomas Wrench feloniously, voluntarily, and of his Malice aforethought, did kill and murder against his Majesty's Peace.

Council. May it please your Lordship, and you Gentlemen of the Jury, I am Counsel in this Case for the King. This is an Indictment against the Defendant Mr. Belcher, for no less a Crime than Murder. The Indictment sets forth, That he with Force and Arms, not having the Fear of God before his Eyes, but being moved and seduced by the Instigation of the Devil, on Thomas Wrench, did make an Assault, and gave him several very sharp and severe Blows on the Right Side of his Head, which Blows proved the Cause of his Death. I would not aggravate the Circumstances that attended this cruel Act; that will come out in Evidence, Gentlemen, I don't doubt, to your Satisfaction. We shall call our Witnesses, and if they should prove that the Defendant used Mr. Wrench, the Deceas'd, in the Manner the Indictment sets forth, you will then find him Guilty.

2d Council. May it please your Lordship, and you Gentlemen of the Jury, I am Counsel for the King against the Prisoner at the Bar, who stands here indicted for the most shocking Crime of Murder. It is for killing one Thomas Wrench, Gentlemen, who was an Innkeeper, and an Inhabitant of this Town. The Indictment charges the Prisoner, for that he voluntarily, and of his Malice aforethought, in the Peace of God, and our Sovereign Lord the King, on the 20th of July did make an Assault on Thomas Wrench, and by giving him several Blows on the Right Side of the Face, which prov'd the Cause of his Death; for tho', Gentlemen, he did not immediately die, yet these Blows were certainly mortal, for he languished no longer than 6 Days, and then expir'd. It will be proper for me to take Notice in what Manner the Deceased came by his Death, which, as my Instructions inform me, was by having received several Blows on the Right Side of the Head from the Prisoner. It seems, Gentlemen, that on the 20th of July last, there was some Strolling Players in this Town, who exhibited their Performances in a Barn, where a Number of People were gathered together to see them play. The Prisoner, with two of his Friends, Mr. Lazure and Mr. Young, were there, and it seems the Prisoner behav'd in a very indifferent Manner to several of the Audience, and at last fix'd on the Deceased to make Diversion of. He took off his Hat, and Cap, and threw them on the Ground; and the Deceased soon afterwards, took off the Prisoner's Wig, which made him very angry, and he told him he had better be quiet, and

give

give him his Wig, or he should repent it, or Words to that Purpose. The Deceased only imagin'd that they had been Joaking together, and took all in good Part what the Prisoner had done to him; but the Prisoner, Gentlemen, resented so much the Deceased's taking his Wig away, that he beat him in a most barbarous Manner. You see, Gentlemen, that the Prisoner is a strong lusty Man, and the Deceased was no way a Match for him; for the Prisoner laid hold on him, and struck him a great many Blows about the Head and Face, which are supposed to be the Cause of the Deceased's Death. I would not aggravate any Thing in this unhappy Affair, you are to take no Notice of what I have said, if it does not come out in Evidence to your Satisfaction. If, upon hearing the several Witnesses that we shall produce, you are of Opinion that the Prisoner is guilty, you will find him so. If there is not sufficient Proof, there is no manner of Doubt but you will acquit him. Call Ann Woodman and William Wiltshire.

Then they were both call'd and sworn; and Mrs. Woodman said, That on the 20th of July she was at the Playhouse at Kingston, and saw Mr. Belcher and Mr. Wrench both there; that they were playing together, and that she saw Mr. Belcher take off Mr. Wrench's Hat and Cap and throw them on the Ground——She is ask'd by the Counsel, if she saw Mr. Belcher strike Mr. Wrench on the Head or Face. She reply'd, That she did not see any Blows given on either Side.

William Wiltshire deposed, That he was at the Playhouse, and that he saw the whole Affair; he says, that the Deceased received several Blows from Mr. Belcher, but he cannot exactly say how many——perhaps five or six. That the Prisoner held the Deceased's Head between his Legs, and struck him underhand in the Face——pretty hard as he believes. Farther says, That seeing Mr. Belcher striking the Deceased, he went to catch hold of his Arm, to hinder him, but did not hinder him, because he did not go with a Resolution so to do——He also said, that he did not apprehend there was any Malice between Mr. Belcher and the Deceased to his Knowledge——Says that Mr. Belcher is a great deal stronger than the Deceased, and that if the Deceased had attempted to defend himself against the Blows, it would not have been in his Power to have prevented Mr. Belcher from using him in the Manner he did.

Elizabeth Pike depos'd, That she was at the Playhouse, and saw what happen'd, relating to the Prisoner's throwing the Deceased's Hat and Wig on the Ground; she don't believe there was any Malice between them.

Dr. Cranmer was call'd, and depos'd, That he was at the Playhouse, and saw what passed between the Deceased and Mr. Belcher about the Hat and Cap being taken off. He further says, that he saw Mr. Wrench fall down as he was going out at the Door, and that Mr. Belcher struck him. He is ask'd by the Counsel, if he thought the Bruise given on the Right Side of the Deceased's Head was the Cause of his Death. He said, he was of Opinion, that the Contusion, which was attended with constant Pain, so as to deprive him of all Rest, with the Fever that attended it, might be the Cause of his Death. Knows of no Malice between them; that he saw Mr. Wrench the next Day, and desired him to keep his Doors, for that the Air might

after the Bruise, and do him Hurt, but that Mr. Wrench had no Regard to what he said.

Mr. Watson depos'd, That after this Affair happen'd, he saw Mr. Belcher, and discours'd with him about the Deceased, and told him, the Deceased was very ill, and that if he died it would be of bad Consequence to the said Mr. Belcher; —— that his Reply was, I don't mind the Consequence; —— what is it to me, —— for such Words —— I must only hold up my Hand so [holding up his Hand before the Court, as Culprits who are arraign'd at the Bar do] and take it down again —— I am sure he said so.

John Butler, Richard Johnson, Richard Salter, William Biggot, Mr. Wheeler, and Mr. Crowder, were severally called, and examined in relation to what had pass'd in the Playhouse about Mr. Belcher's taking the Deceased's Hat and Cap, and throwing it on the Ground —— they agreed in what the other Witnesses had sworn. —— Said they knew of no Malice between the Deceased and the Prisoner; and believe that they did not come to Quarrel, for that the Prisoner was at the Playhouse some Time before the Deceased came in.

Elizabeth Way was called, who deposed that she heard Mr. Wrench say before his Death, that the Prisoner Mr. Belcher had done his Business effectually. The Nurse who nursed Mr. Wrench in his Illness spoke to the same Effect.

Then the Council for the King took Notice to the Court, that what a dying Man said was always admitted in Evidence; and that the late Lord Chief Justice Raymond was of that Opinion; —— but this was over-ruled, and the Court were of Opinion, that unless what Mr. Wrench said had been taken on Oath, it could not be good Evidence.

Mr. Woodward was then call'd, and depos'd, that he was a Servant of the Deceased, and that on the Morning after this happened, Mr. Belcher sent his Boy to the Deceased for his Wig, that he carried the Wig, and met Mr. Belcher in the Street, to whom he gave the Wig; and at the same Time he spoke to Mr. Belcher, and asked him how he could be so barbarous to treat the poor Creature so (meaning the Deceased) and that Mr. Belcher made Answer and said, D——n him, I hope I have done for him —— He is positive that these were the Words that he spoke them when he delivered him the Wig; and that whilst he was talking to him, he sent his Boy with the Wig to the Barber's.

John Brotherhood and Mrs. Mandeville are called, but give no other Evidence than what has appeared by the Testimony of the other Witnesses.

The Prisoner being called on to make his Defence, said, that he had no Malice against the Deceased; cannot deny but he might strike him, but with no Intent to hurt him.

Mr. Lazure is the first Witness Mr. Belcher call'd in his Defence, who depos'd, that on the Day mentioned in the Indictment, himself, one Mr. Town, and the Prisoner, had been to see a Cricket Match in Company together, and in the Evening they agreed to go to the Playhouse, where a Play was to be performed —— He says, that he did not observe Mr. Belcher to be guilty of any rude Behaviour, and that nothing past that could give Offence to any Body —— Says that he saw the Deceased come into the Playhouse with a Hat and white Cap on, and that he said

to

to Mr. Belcher, How do you do, Sam; ——that Mr. Belcher reply'd, Pretty well, I thank you, Tom, I am glad to see you well; ——that Mr. Wreach then said, Why did you not come to the Feast To-day? On which Mr. Belcher reply'd, I should have been there, but these two Gentlemen engaged me. ——This Witness then gives an Account of Belcher and the Deceased playing together in a jocular way, without any Signs of Malice, and of the throwing the Hat and Cap down. Says that he saw the Deceased run away with Mr. Belcher's Wig, and Belcher after him, but the Door of the Playhouse being shut, he could not so readily get out; but fell down with a great Force just as Mr. Belcher got up to him. ——Does not deny that Mr. Belcher struck him, but not with such Violence as to be the Cause of his Death; but rather believes the Fall might occasion the Bruise on the Right Side of his Head; for that he fell with great Force. ——Mr. Town agrees in what this Witness said.

Mr. Robinson, an Apothecary at Kingston, is call'd, who us'd to attend on the Deceased, who depos'd, that the Deceased was subject to Fits; that he had frequently bled him in his Life-time to give him Relief, when he had been troubled with these Fits.

Thomas Stackhouse. The Deceased has been used to Fits, for to my Knowledge, he has had several, particularly about a Twelve-month ago.

Sarah Johnson depos'd, that she was acquainted with the Deceased, that he was subject to Fits; and that he had several strong ones about a Twelve-month ago.

Thomas Tinley said that the Deceased was an ailing Man, and was indispos'd frequently by Fits and other Ailments, and that he was a hard Drinker.

Elizabeth Butler. I lived a Servant with the Deceased at the Time when this happened. It was done on Wednesday the 20th of July; my Master was out on the Thursday, and on Friday he had a Fit, and turn'd as black as a Coal. That Day he drank almost half a Pint of Brandy, only a little that I drank. He drank pretty freely, and after he had drank the Brandy, he fell into his Wife's Arms as if he had been dead in a Manner.

Council for the Prisoner. I hope the Gentlemen of the Jury will take Notice, that when a Man was ill, and feverish, as it appears the Deceased was, and to drink such a Quantity of Brandy, whether it might not inflame his Blood, and so heighten the Fever as to be the Cause of his Death.

Mrs. Butler. Upon my Oath he drank Brandy on the Friday after this happened.

John Roberts. I know the Prisoner at the Bar, and knew the Deceased when he was living. They were always very friendly together, and I have heard the Deceased say, that he had not a better Friend in the World. The very Day this Misfortune happened, there was a Bean-Feast at the Deceased's House, and they not having Knives and Forks enough to serve the Company, the Deceased sent to Mr. Belcher to borrow some, and Mr. Belcher very readily granted it, and gave Orders for the Knives and Forks being immediately sent.

Mr. Burlton, the Surgeon depos'd, that the Bruise the Deceased had received, could not occasion his Death, but that he died from an ill Habit of Body.

Dr. Nichol's, and Mr. Sharpe, Surgeon, of Guy's Hospital, deposed, that the Deceased was of a very ill Habit of Body, and his Blood in an inflamed State; That the Contusion might occasion a Fever, which, being increased by his ill Habit of Body, might be the Cause of his Death; but that the Bruise alone could not produce any such Consequence.

Mr. Belcher call'd a great many Persons to prove that he and the Deceased were always very neighbourly, and that they never had any Quarrels, or any malicious Intention one to the other.

The Evidence on both Sides being gone through, my Lord sum'd up all that had been said, and explained to the Jury the Difference between Wilful Murder and Manslaughter. After which they withdrew, and return'd in a short Time, and found the Prisoner guilty of Manslaughter.

James Hunt, and Thomas Collins, late of the Parish of St. Saviour's, Southwark, were indicted for that they, not having the Fear of God before their Eyes, &c. on the 5th Day of June did commit together the detestable Sin of Sodomy, not fit to be nam'd amongst Christians.

The first Evidence call'd to prove the Fact upon the Prisoners was a Waterman, who depos'd, That about ten o' Clock at Night on the 5th of June, he went to buy a Half-penny worth of Gingerbread of a Woman who sits near the Bear Tavern at the Bridge Foot, which said Woman told him that she suspected by the Behaviour of two Men who had gone up Pepper Alley, that they were Mollies; that he being determin'd to watch them, went softly after them, and dogg'd them into an House of Office, that is at Pepper Alley Stairs. He says that he heard Hunt say, Stay a little, 'till we hear all quiet, and then you shall do for me; that they talk'd in a very indecent manner, and he was very well assured that they were Sodomites. He was a little shock'd, for he knew they were b——g one another. The Place in which they were was so small, that two Men could hardly fit in it, ——— for the Door could not be shut, ——— that it was half open, and that he saw them in the very Fact; that he put his Knee against the Door, and kept them close together, ——— that they were so close that he could not put his Hand between them, but ——— as he did put his Hand between them, and took Hunt's ——— out of ——— ——— that it was wet, and wet his Hand very much.

Here this Witness was ask'd by the Court some Questions which are necessary to prove an Evidence, but we hope our Readers will excuse those Questions, and the Answers from being inserted, the bare mention of which would shock human Nature. The Witness answered every Question very perfectly, and proved all that the Law requires as Proof in Cases of this Kind.

Court. Prisoners, Would either of you ask this Witness any Questions? he has brought the Fact very home to you?

Hunt. He is not sure of all this.—Indeed my Lord, I only went to ease myself, and found this Man (meaning Collins) in the Necessary Place. He only does it to extort Money from us. He is one of those who goes about and threatens to swear Sodomy against People if they don't give him Money.

Evidence. I can bring People to my Character——I never saw the Man before;

before; but I thought as they were guilty of so wicked a Crime, they ought to be detected, and I was determined rather than they should escape guilty, I should not be deterr'd in I wear the Lords of the Admiralty's Badge, and am one of their Lordships Watermen, and what the Prisoners say is false, for my Character was never called in Question. Here is the Constable I can prove what a Condition they were in when I carried them to the Watchhouse.

The Constable sworn. These two Men were brought Prisoners to me in the Watch-house, and charged by the young Man who has been examin'd, with having committed Sodomy together in a House of Office at Pepper-Alley-Stairs. I thought it was proper to search them, and ordered some of my Watchmen to undo their Breeches. There were all the Signs of an Emission that could well be. I saw Hunt's Shirt, and saw —— on it. Here this Witness utter'd what is not proper, for Decency's Sake to appear in Print, but as the Law requires a full Proof where Life is concern'd, the Evidence must come up to the very Fact. He further says, that he examined the Prisoner Collins's ——, and he is very positive that it had been penetrated. —— Further says, that the Waterman gave the same Account to him as he had now done; and that when he tax'd Collins very home with the Crime, he confess'd it to him, and said that Hunt had —— him.

This Evidence was confirmed by the Watchmen who were present when the Prisoners were search'd; who said that the Prisoners Shirts were in a sad Condition.

Collins. I know nothing of it —— I had been drinking a little that Night. Hunt. Low Informer of the Charge, I never was guilty of such a Crime in my Life.

Neither of them had any Body to speak to their Characters, so the Jury found them Guilty, Death.

Thomas Powell was indicted, for that he, with divers Persons unknown, in the Parish of St. Mary Rotherhithe, did in a notorious and tumultuous Manner, the Cage or Stockhouse of the said Parish break open, and thereupon did rescue several disorderly Persons, who were there confin'd.

He was a second Time indicted for an Assault on the Body of Edward Hewett.

Mr. Hewett depos'd, That upon the 8th of July last, the Prisoner, with several others, assembled in Rotherhith, and broke open the Cage, where Persons were confin'd until they could be carried before a Justice of the Peace to be examined touching several Outrages that they had committed, under Pretence of being a Press Gang; that the Prisoner, with one William Frasier, (who is since dead in Gaol) were apprehended by him, as being a Constable, and in the Execution of his Office; that the Prisoner in particular used him very ill, and beat him barbarously, without any manner of Provocation on his side, otherwise than doing his Duty in seizing him, and those who were concerned with him.

The Prisoner said that his Lieutenant commanded him to do what he did; and therefore he hop'd they would be favourable to him. The Jury found him guilty of the Indictment.

N. B. Frazier, who died in the New Goal, was committed for the same Offence for which Powell was try'd; but was so roughly treated in the Scuffle, by not only being terribly bruised in

many

many parts of the Body, but also had his Right Hand cut off with a Hanger, which caused a Mortification that hastened his Death.

The Trials being ended, the Court proceed to give Judgment as follows:

Received Sentence of DEATH, 12.

Thomas Whiting, William Aftman, David Roundy, Mary Dagger, James Day, Ann Hazzard, John Beauchamp, otherwise Beacham, Thomas Millet, John Harris, otherwise Harwood, James Hunt, Thomas Collins, and Richard Keble.

TRANSPORTATION for 14 Years, 1.
William Summers.

TRANSPORTATION for 7 Years, 1.
Lyon Emmery.

Burnt in the Hand, 7.

Elizabeth Rice, Samuel Belcher, Robert Grice, John Seeger, Simon Burer, Sarah Kitchen, and James Scate.

To be Whipt, 1.

Elizabeth Grainger.

William Argent was sentenced to be imprisoned in the County Goal for one Month, to pay a Fine of 3 s. 4. and not discharg'd until the said Fine be paid.

Henry Hopkins was sentenc'd to pay a Fine of One Shilling, and be imprisoned for two Months in the County Goal.

John Elliot, who was attainted of Sheep-stealing last Lent Assizes, and received Sentence of Death, but afterwards reprieved, was call'd to the Bar, and informed, that his Majesty had been graciously pleased to extend his Mercy to him, on Condition that he should be transported for 14 Years. He was ask'd, if he was willing to accept of those Conditions, which he agreeing to, Sentence was passed on him accordingly.

The following Persons were discharg'd by Proclamation, no Prosecution appearing against them, viz.

Mary Hatchett, committed for robbing a Person of his Watch in St. George's Fields. She was brought from Newgate to Surrey Gaol.

Giles Creasy, charg'd on Oath, for marrying Mary Neal, Margaret Creasy his former Wife, being now living.

Alithea Ward for robbing the House of Mr. Flynn of Camberwell, of a Gown, a Cloak, and several other Things.

Richard Towersey who was admitted an Evidence against Millet and Beacham, who were capitally convicted.

Elizabeth Grimer, committed for stealing two Turkies out of the Yard of Richard Sidwell.

Thomas Shrimpton and John Shrimpton, committed for stealing Iron Wire.

Thomas Beirce, committed for wilfully and maliciously intending to cheat William Rawlinson, of St. Saviour's, Southwark, of a large Parcel of Goods, to the Amount of 20 l. and upwards, under false Tokens and Pretences, enter'd into a Traverse to try the same the next Assizes.

Edward Singer was committed for stealing several Things out of the House of John Sy[illegible] of Datchett in the County of [illegible] to be removed by a Habeas Corpus [illegible] the common Gaol for that County.

N. B. Of the Twelve who received Sentence of Death, the Judge was pleased to reprieve Mary Dagger, William Aftman, David Roundy, and Thomas Whiting.

GOD save King GEORGE.

FINIS.